

EDMUND G. BROWN, JR, Attorney General
of the State of California
TOM BLAKE, (State Bar No.51885)
Deputy Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-3664
Telephone: (415) 703-5506
Facsimile: (415) 703-5480

Attorneys for Defendants
Director of Corrections, Cal. Terhune, Warden
Anthony Lamarque, Lieutenant D. Holt, Sergeant M.
Ross, Officer A. Alexander, Officer K. Greeson,
M.T.A. Harrison, and Health Care Manager Daniel
M. Thor, M.D.

E-FILED - 6/12/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KENNETH HOLCOMB,

Plaintiff,

v.

C. TERHUNE; A. LAMARQUE; D.
HOLT; M. ROSS; A. ALEXANDER; K.
GREESON; MTA HARRISON; D.
THOR, M.D.; D. CLARK, M.D.; I.
GRILLO, M.D., et al.,

Defendants.

CASE NO. C03-02765 RMW

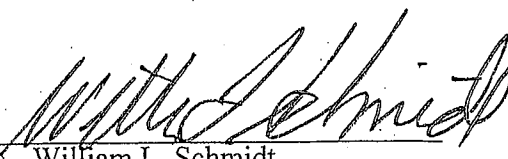
**STIPULATION AND ~~PROPOSED~~
ORDER FOR VOLUNTARY
DISMISSAL WITH PREJUDICE
[Fed. R. Civ. P. 41(a)]**

The parties, by and through their counsel of record, stipulate that this matter may be dismissed **with** prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, each party to bear their own costs and attorneys fees, including any entitlement to fee or costs under 42 U.S.C. section 1988. At the Plaintiff's request, the Court has heretofore dismissed all claims against Dr. Thor and M.T.A. Harrison. The Plaintiff has settled his civil claims, including claims for attorneys' fees and costs under 42 U.S.C. section 1988 and otherwise, against all remaining defendants. The Parties therefore respectfully request that the Court dismiss this action in its entirety **with** prejudice.

This stipulation may be executed in counterpart signatures.

1 IT IS SO STIPULATED:

2
3 DATED: 2/25/08


William L. Schmidt
Attorney for Plaintiff Kenneth Holcomb

4
5 DATED: _____

Suzy C. Moore
Attorney for Plaintiff Kenneth Holcomb

6
7
8 DATED: _____

Van Longyear
Attorney for Defendant David Clark, M.D.

9
10
11 DATED: _____

Joseph S. Picchi, Esq.
Attorney for Defendant Dr. Isaac Grillo, M.D.

12
13
14 DATED: _____

Tom Blake
Deputy Attorney General
Attorneys for Defendants Director of Corrections, Cal.
Terhune, Warden Anthony Lamarque, Lieutenant D. Holt,
Sergeant M. Ross, Officer A. Alexander, Officer K. Greeson,
M.T.A. Harrison, and Health Care Manager Daniel M. Thor,
M.D.

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20 **ORDER DISMISSING ACTION**

21 **IT IS SO ORDERED.** This entire action is dismissed with prejudice, all parties to bear
22 their own costs and attorneys' fees.

23 Dated: _____

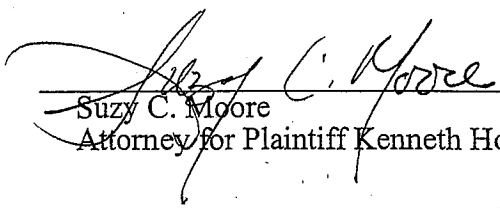
24
25
26 **RONALD M. WHITE**
United States District Judge

IT IS SO STIPULATED:

DATED: _____

William L. Schmidt
Attorney for Plaintiff Kenneth Holcomb

DATED: 2/28/05


Suzy C. Moore
Attorney for Plaintiff Kenneth Holcomb

DATED: _____

Van Longyear
Attorney for Defendant David Clark, M.D.

DATED: _____

Joseph S. Picchi, Esq.
Attorney for Defendant Dr. Isaac Grillo, M.D.

DATED: _____

Tom Blake
Deputy Attorney General
Attorneys for Defendants Director of Corrections, Cal.
Terhune, Warden Anthony Lamarque, Lieutenant D. Holt,
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M.D.

ORDER DISMISSING ACTION

IT IS SO ORDERED. This entire action is dismissed with prejudice, all parties to bear their own costs and attorneys' fees.

Dated: _____

RONALD M. WHITE
United States District Judge

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2
3 DATED: _____
4 William L. Schmidt
Attorney for Plaintiff Kenneth Holcomb

5 DATED: _____
6 Suzy C. Moore
Attorney for Plaintiff Kenneth Holcomb

7
8 DATED: 1/10/08 Van Longyear
9 Van Longyear
Attorney for Defendant David Clark, M.D.

10
11 DATED: _____
12 Joseph S. Picchi, Esq.
Attorney for Defendant Dr. Isaac Grillo, M.D.

13
14 DATED: 1/12/2008 Tom Blake
15 Tom Blake
16 Deputy Attorney General
Attorneys for Defendants Director of Corrections, Cal.
17 Terhune, Warden Anthony Lamarque, Lieutenant D. Holt,
Sergeant M. Ross, Officer A. Alexander, Officer K. Greeson,
18 M.T.A. Harrison, and Health Care Manager Daniel M. Thor,
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26 **RONALD M. WHITE**
27 **United States District Judge**
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3 DATED: _____

William L. Schmidt
Attorney for Plaintiff Kenneth Holcomb

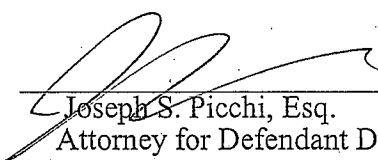
5 DATED: _____

Suzy C. Moore
Attorney for Plaintiff Kenneth Holcomb

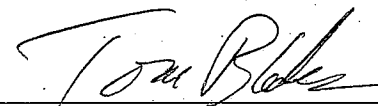
8 DATED: _____

Van Longyear
Attorney for Defendant David Clark, M.D.

11 DATED: 12/13/07


Joseph S. Picchi, Esq.
Attorney for Defendant Dr. Isaac Grillo, M.D.


14 DATED: 12/13/07


Tom Blake
Deputy Attorney General
Attorneys for Defendants Director of Corrections, Cal.
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M.D.

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22 their own costs and attorneys' fees.

23 Dated: 6/12/08

24
25 
26 **RONALD M. WHITE**
27 **United States District Judge**
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